

*Jarvis* does not anticipate any of Claims 1, 4-9, 13-18 or 21-29 because it fails to disclose a *blend* of gasoline and oxygenate. Each of the claims of Applicants is directed to a gasoline-oxygenate *blend*. *Jarvis*, on the other hand, discloses a reaction product. The fact that *Jarvis* is directed to a reaction product, versus a blend, of natural gasoline and ethanol is evidenced by:

(i.) the recited reaction conditions (lines 25 of column 4 through line 3 of column 5 of *Jarvis*);

(ii.) the use of a platinum catalyst in "an elongated catalyzing chamber" (lines 25-27 of column 1 of *Jarvis*). Catalysts are used to accelerate chemical reactions and are not useful in blends of mixtures;

(iii.) characterization of the product of *Jarvis* as being derived from a "catalyzed mixture"; and

(iv.) the disparity in the reported physical properties of the products of *Jarvis* and the theoretical physical properties of the products of *Jarvis*.

Note paragraph 7 of Declaration of Charles A. Lieder, Ph.D., Under 37 C.F.R. § 1.132, submitted herewith. Note further that in paragraphs 7, 8 and 9 of the attached Declaration, Dr. Lieder shows that, absent a chemical reaction, it would not be possible for the products of *Jarvis* to exhibit an RVP less than 7.1. Each of the claims of Applicants recite a RVP less than about 7.1 PSI. Thus, Claims 1, 4-9, 18-19 and 21-29 are not anticipated by *Jarvis*.

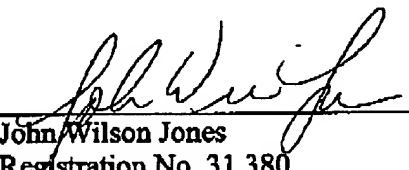
**CONCLUSIONS**

Applicants do not believe that any additional fees are required for the submission of this Amendment. To the extent Applicants are incorrect, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 12-1322(Our ref.013129-00025).

In view of the foregoing and the Declaration of Charles A. Lieder, Ph.D. Under 37 C.F.R. § 1.132, Applicants respectfully request the Examiner to issue a Notice of Allowance. The Examiner is invited to telephone the undersigned should it be deemed prudent to expedite examination of this application.

Respectfully submitted,

Dated: April 9, 2003


  
John Wilson Jones  
Registration No. 31,380

**LOCKE LIDDELL & SAPP LLP**  
600 Travis, Suite 3400  
Houston, Texas 77002-3095  
Telephone No.: (713) 226-1142  
Facsimile No.: (713) 229-2570

FAX RECEIVED  
APR 10 2003  
GROUP 1700

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.6(d)**

I hereby certify that this correspondence is being transmitted to the Assistant Commissioner for Patents and Trademarks via facsimile number 703 872-9310, in accordance with 37 C.F.R. § 1.6(d), on this 9<sup>th</sup> day of April, 2003.

  
\_\_\_\_\_  
Jana Walraven

FAX RECEIVED  
APR 10 2003  
GROUP 1700